



**National Park Service
U.S. Department of the
Interior**

**Superintendent's
Compendium**

Of Designations, Closures,
Permit Requirements and
Other Restrictions Imposed
Under Discretionary Authority.

**Boston National
Historical Park
&
Boston African
American National
Historic Site**

Charlestown Navy Yard
Charlestown, MA 02129

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Approved:

Cassius Cash, Superintendent

09/02/2014

Date

In accordance with regulations and the delegated authority provided in Title 36, Code of Federal Regulations ("36 CFR"), Chapter 1, Parts 1-7, authorized by Title 16 United States Code, Section 3, the following provisions apply to all lands and waters administered by the National Park Service, within the boundaries of Boston National Historical Park and Boston African American National Historic Site. Unless otherwise stated, these regulatory provisions apply in addition to the requirements contained in 36 CFR, Chapter 1, Parts 1-7.

Written determinations, which explain the reasoning behind the Superintendent's use of discretionary authority, as required by Section 1.5(c), appear in this document identified by italicized print.

36 CFR §1.5 – VISITING HOURS, PUBLIC USE LIMITS, CLOSURES, AND AREA DESIGNATIONS FOR SPECIFIC USE OR ACTIVITIES

(a)(1) The following visiting hours, public use limits, and closures are established:

Visiting Hours:

- Charlestown Navy Yard, Bunker Hill, and Dorchester Heights grounds
 - Exterior grounds, sidewalks, and streets are open 24 hours a day, year round with the exception of the restricted security area on Pier 1 at Charlestown Navy Yard and closures as noted in section 1.5.
- Charlestown Navy Yard Visitor Center (Building 5)
 - Open daily from 9a.m. – 5p.m. from the first Tuesday after Labor Day through June 30.
 - Open daily from 9a.m. – 6p.m. from July 1 through Labor Day Weekend.
 - Access to the Visitor Center requires passage through security screening.
 - Visitor center is closed Thanksgiving Day, Christmas Day, and New Year's Day.
- Pier 1 within the restricted security area surrounding USS Constitution as denoted by the black security fencing and bollards. Reference Map A.

- Open daily from 9a.m. – 5p.m. from the first Tuesday after Labor Day through June 30.
- Open daily from 9a.m. – 6p.m. from July 1 through Labor Day Weekend.
- Access to the Visitor Center requires passage through security screening.
- This area is closed Thanksgiving Day, Christmas Day, and New Year's Day.
- This section of Pier 1 is closed on Thanksgiving Day, Christmas Day, and New Year's Day.
- Access to this section of Pier 1 requires passage through security screening.
- This area may be temporarily closed due to maintenance work on or around USS Constitution or under circumstances pertaining to high security alerts or threats.
- *The restricted security area is closed to all persons except those who enter the area through a security screening facility during open hours of operation. Certain items including firearms, explosives, and large knives that may otherwise be legal to possess or carry, may not be allowed within the restricted security area. These restrictions are necessary to protect the lives of US Navy personnel, visitors, and the USS Constitution.*
- USS Cassin Young
 - Open daily from 10a.m. to 4p.m. from the first Tuesday after Labor Day through June 30, staffing and weather permitting.
 - Open daily from 10a.m. to 5p.m. from July 1 through Labor Day Weekend.
 - The USS Cassin Young is closed Thanksgiving Day, Christmas Day, and New Year's Day.
 - The ship will be closed for public visitation during periods of severe weather including rain, snow or icy conditions, thunderstorms, or extreme cold or heat.
 - The ship may be closed due to staffing reductions, maintenance or repair as posted.
- Shipyard Galley (Building 10)
 - Open daily from 10a.m. to 4p.m. from April 1st through June 30th.
 - Open daily from 10a.m. to 6p.m. from July 1st through August 31st.
 - Open daily from 10a.m. to 5p.m. from September 1st through October 1st.
- USS Constitution Museum (Building 22)
 - Building 22 is operated under a Cooperative Agreement and Lease with the USS Constitution Museum.
 - Visitation hours are set by the museum.
- Bunker Hill Monument and Lodge
 - Open daily from 9a.m. to 5p.m. from the first Tuesday after Labor Day through June 30.
 - Open daily from 9a.m. – 6p.m. from July 1 through Labor Day Weekend.
 - The last climb for Bunker Hill Monument begins thirty minutes prior to closing.
 - The Monument is closed Thanksgiving Day, Christmas Day, and New Year's Day.
- Bunker Hill Museum
 - Open daily from 9a.m. to 5p.m. from the first Tuesday after Labor Day through June 30.
 - Open daily from 9a.m. to 6p.m. from July 1 through Labor Day Weekend.
 - The Museum is closed Thanksgiving Day, Christmas Day, and New Year's Day.
- NPS Faneuil Hall Visitor Center
 - Open daily from 9a.m. – 6p.m., year round.

- Visitor Center is closed Thanksgiving Day, Christmas Day, and New Year's Day.
- Faneuil Hall – Great Hall
 - Open daily from 9a.m. to 5p.m., year round, except during City of Boston sponsored events. The Great Hall is not staffed by NPS Rangers on Thanksgiving Day, Christmas Day, and New Year's Day.
- Dorchester Heights Monument
 - The interior of the Monument is closed
 - The interior of Dorchester Heights Monument is temporarily closed due to an unsafe structural condition.

Reason for Determination

These visiting hours were determined based on historical visitor use patterns and public funding authorized and available to staff park sites. Visiting hours are established to allow access to park sites while providing for visitor safety and resource protection. These visiting hours are determined to be in the best interests of the park and are necessary for the proper management of the park.

Public Use Limits:

Winter Activities

- Sledding and snowboarding are prohibited at Bunker Hill and Dorchester Heights.
- Sledding, snowboarding, and snow play are prohibited on man-made snow piles.

Reason for Determination

Bunker Hill and Dorchester have steep hills with no run-off areas and steep drop offs onto sidewalks. Serious visitor injuries have resulted from sledding accidents. Man-made snow piles contain hard packed ice and snow and are the result of snow removal from roads and walkways. Hidden objects may be concealed within man-made snow piles and run-off areas end on hard asphalt or concrete areas.

Picnicking

- Picnicking is not permitted inside any historic building.

Reason for Determination

Picnicking inside of buildings open to the general public obstructs walkways and promotes insect and rodent infestations.

Fishing

- Fishing is permitted at Pier One, in the area from the caisson of Dry Dock I, around the end of the pier, to the southeast corner of Building 109.
- Fishing is permitted between 5:00 pm and 7:00 am.
- Fishing is not permitted when visiting ships are moored in this area.
- Fishing is not permitted from the floating dock at the end of Pier 1.

Reason for Determination

Fishing hours are limited due to visitor use patterns during daylight hours and safety concerns associated with hook and line fishing in densely populated areas.

Camping

- Camping is prohibited in all park areas.
- See also 36 CFR § 2.10 of this document.

Reason for Determination

The park is located in a densely populated urban area within the city limits of Boston. The park has no facilities or areas to support camping activities.

Swimming, etc

- Swimming, wading, snorkeling, and underwater diving is prohibited in all areas of the park.

Reason for Determination

The park has limited water area, all of which is near piers that present significant safety hazards and large daily tide influence and currents that could sweep swimmers into pier areas. Piers have steep drop offs and there are no beaches or stairs that extend to water areas.

Photography at Building 292, Security Screening Facility

- Any photography of or within Building 292 Security Screening Facility is prohibited. The Security Screening Facility is defined as the walkway entrance to Building 292 and/or any areas within Building 292.
- Individuals taking photos of the security screening process, equipment or facilities may have photographic equipment seized or related images deleted, pursuant to an official investigation by National Park Service Law Enforcement Officers.

Reason for Determination

Photographs of the security screening facility or screening process create an unacceptable level of risk for USS Constitution and US Navy personnel.

Unmanned Aircraft

- Launching, landing, or operating an unmanned aircraft from or on lands and waters administered by the National Park Service within the boundaries of Boston National Historical Park is prohibited except as approved in writing by the superintendent.
- The term "unmanned aircraft" means a device that is used or intended to be used for flight in the air without the possibility of direct human intervention from within or on the device, and the associated operational elements and components that are required for the pilot or system operator in command to operate or control the device (such as cameras, sensors, communications links). This term includes all types of devices that meet this definition (e.g.,

model airplanes, quadcopters, drones) that are used for any purpose, including for recreation or commerce.

Reason for Determination

The park is located in a densely populated urban area within the city limits of Boston. Do to the dense urban environment serious visitor injuries or significant damage to cultural resources could result from the use of unmanned aircraft. The park is the home to the USS CONSTITUTION, an active duty US Navy ship. Unmanned aircraft pose increased security concerns for the safety of the ship and her active duty US Navy crew.

Vehicle Use within the Park

- Public motor vehicle use is prohibited in the following areas of Charlestown Navy Yard:
 - 4th Street between 2nd Avenue and 1st Avenue
 - 3rd Street between 2nd Avenue and 1st Avenue
 - 2nd Avenue between Constitution Road and 5th Street
 - 1st Avenue between Constitution Road and 5th Street
 - Pier 1
 - Pier 2

Exceptions include individuals providing services (e.g. phone company, gas company), legislated cooperators, legally placarded handicap vehicles, authorized official use vehicles and invited guests of the National Park Service, USS Constitution Museum, and US Navy, and by permit or written permission of the Superintendent.

- All motor vehicles, as defined in 36 CFR §1.4, entering or parked within the Charlestown Navy Yard section of the Park must display a valid parking permit (hang tag or placard) issued by Boston National Historical Park
 - Exceptions include:
 - Boston National Historical Park service (Maintenance) vehicles and all emergency service vehicles
 - Vehicles approved access under agreement between US Navy (USN) and National Park Service and parked within USN designated parking spaces
 - Recurring delivery vehicles, i.e Fed Ex, U.S. Postal vehicles, waste removal vehicles, etc.

Reason for Determination

The above mentioned streets are used for administrative traffic and public visitation pedestrian and bicycle use. No through streets exist on the above mentioned streets. There is no available public parking in Charlestown Navy Yard due to both space and security concerns. All administratively authorized vehicles entering the Charlestown Navy yard are subject to security sweeps and inspections.

- Electric Personal Assistive Mobility Devices (EPAMD)
 - Segways and other brands of EPAMD are considered motor vehicles as defined under 36 C.F.R. § 1.4. Therefore, pursuant to 36 CFR §§ 1.5(a) & 4.10(a) the **Park will not allow the recreational** use of Segways and other EPAMD within the park including on sidewalks, lawns or in buildings. Use by NPS or City of Boston emergency or law enforcement personnel is permitted. However, **disabled visitors are permitted to use Segways or other EPAMD** in the park on sidewalks, paths and on the ground floor (or floors reached by an elevator) of park buildings when such devices are used for the sole purpose of mobility assistance. Visitors who do not have substantial mobility limitations, as defined below, are not allowed to use Segways or EPAMD in the park.
 - The use of Electric Personal Assistive Mobility Devices must adhere to the following:
 - Only visitors with a substantial mobility limitation in accordance with Title V of the Rehabilitation Act of 1973, as amended, and as defined in 43 CFR Part 17, Subpart E are covered.
 - Users of a Segway (or other EPAMD) as a mobility assistance device must display a disabled placard. These may be obtained at the NPS Law Enforcement Office, Building 109, Charlestown Navy Yard. Segway riders with the placard will be allowed on Pier 1, on the ground floor of the Navy Yard Visitor Center, Bunker Hill Monument Lodge, Battle of Bunker Hill Museum ground floor and all floors reached by an elevator and all park areas generally open to the visiting public.
 - Visitors using a Segway or other EPAMD, without a disabled placard may be approached by a Law Enforcement Ranger who will verify that the device is being used for mobility assistance by a person who meets the criteria in (a) as well as offering any other special assistance.
 - The visitor must operate the mobility assisted device in a safe and responsible manner; **maximum speed is 6 mph** (beginner speed). A slower speed of 3 mph is recommended when operating in areas with other visitors or in buildings.
 - No person under 16 years of age may operate Segways or similar devices, without adult Supervision.
 - Access to the obelisk at Bunker Hill Monument is not possible by persons with disabilities utilizing Segways or similar devices. The grounds and associated exhibits at Bunker Hill Monument are accessible. Persons with disabilities wishing to access the obelisk must use the stairs which preclude the use of a Segway or similar device.
 - Access to USS CONSTITUTION and USS CASSIN YOUNG may be limited or closed to persons with disabilities using Segways or similar devices during inclement weather and extremely high or low tides. Numerous safety issues related to slipping arise during rainy, windy weather conditions when accessing the ships via brows (ramps). The brows become slippery during inclement weather and at times may be pitched at a steep angle during periods of extreme tide creating a potential safety hazard.
- Operators of any motor vehicle are prohibited from engine idling for more than 5 minutes in all areas of Boston National Historical Park and Boston African American National Historic Site.

Reason for Determination

This restriction was based on the determination that emissions from idling engines negatively impact the health of park visitors, staff, and neighbors. Additionally, the noise and fumes from idling engines negatively impact visitor experiences at the park.

Closures:

All NPS owned grounds and waters within the established boundaries of Boston National Historical Park and Boston African American National Historic Site are open to the public on a 24-hour per day basis except as listed below: Reference Map B.

The following areas are closed to all public access:

- Dry Dock 1: *Unsafe for public visitation due to steep drop offs. Public viewing areas of the dry dock are available on Pier 1.*
- Marine Railway: *Unsafe for public visitation. Only remnants of the railway remain and there are no suitable public walkways or streets that access this area.*
- Pier 2: *The pier is unsafe for public visitation due to disrepair and poor structural condition. Portions of the pier are used as a maintenance and storage area; industrial motor vehicles and cranes use this area for the repair and maintenance of the USS Constitution.*
- Water area encompassed by the southeast point of Pier 1 to the southwest point of Pier 3. All park waters north of this line are closed to boating and recreational use without a permit issued by the Superintendent. *This small water area leads into Drydock 1 and is within the confines of two piers used by authorized visiting ships.*
- Water area encompassed by the southwest point of Pier 1 to the eastern park boundary as sighted from the southwest point of Pier 1 to the southeast point of Constitution Pier. All park waters north of this line are closed to boating and recreational use without a permit issued by the Superintendent. *The portion of this small water area within the park boundary serves as a security barrier for the USS Constitution. The portion of this water area along Pier 1 is used by authorized visiting ships.*
- South end of Pier 3: *The south end of Pier 3 and boat dock as encompassed by the chain link fence beginning at the south end of Building 125. This is an administrative area. The fenced closure is necessary for the security and protection of government owned vessels.*
- Parking Lot A: *Unsafe for public visitation due to crumbling paved surface and degrading structure adjacent to lot where falling debris may create a hazard.*
- Hoosac Warehouse: *Unsafe for public visitation.*
- Building 1: Administrative Area, Maintenance and Grounds Office and Storage.
- Building 24: Administrative Area, *This building is assigned to the US navy for use in the preservation and maintenance of the USS Constitution.*
- Building 125: Administrative Area, Unoccupied building.
- Building 109: Administrative Area, Law Enforcement Office. *A security controlled access door on the southwest side of the building is available for visitors requiring emergency assistance.*
- Building 107: Administrative Area, Maintenance/Cultural Resource Offices.
- Building 265: Administrative and Residential Area, Park Residences and administrative offices, including the fenced area behind the building.

- Building I, Marine Barracks: Residential and Administrative Area, NPS offices. *The Office of the Superintendent is open to the public from 9a.m. – 4p.m. Monday through Friday, except federal holidays, for scheduled business appointments related to the management of the park.*
- Commandant's House (Quarters G): Closed to public visitation except during scheduled tours or special events. *Funding is not available to staff the building for routine public visitation. The surrounding grounds are open to public visitation.*
- Building 4: Administrative Area. *This building is assigned to the US Navy for use in the preservation and maintenance of the USS Constitution.*
- Buildings M-39, 110, M-1, 272, and 124: Administrative Areas. *These storage buildings are assigned to the US Navy for use in the preservation and maintenance of the USS Constitution.*
- Pier 1 Lay-Down storage areas "A" and "C": Administrative Area. *These areas are assigned to the US Navy for the preservation and maintenance of the USS Constitution.*
- Wrought Iron Fenced Area surrounding Bunker Hill Monument: *Closed to public except during public visitation hours.*
- Wrought Iron Fenced Area surrounding Dorchester Heights Monument: *Closed to public visitation. The Dorchester Heights Monument is not open to public visitation due to unstable interior structural conditions.*
- Easton Building at 15 State Street, Boston: Administrative Area. *This building serves as administrative offices for the Northeast Regional Office, Boston Harbor Islands NRA, and other NPS related offices. There are no public services in this building.*
- Other areas as posted.

NOTES:

1. Because of special activities that may occur at any time or as a result of various construction projects, it may be necessary to make changes to what is listed in this section on short notice. In all cases the public will be given as much notice as possible of any changes.
2. During hazardous conditions or emergency situations some areas may be closed on short notice. These closing will be denoted by published temporary closure memos, closed gates, posted employees, caution tape, signs, and/or "Do Not Enter" type flagging. Long term closure notices will be posted for viewing on the park's intranet website (for NPS employees) and the park's internet website for the general public.
3. During various construction projects, one or more public use areas may be closed to the public.

Reason for Determination

These closures were determined necessary to ensure the safety and security of park visitors, staff, and resources.

(a)(2) The following areas have been designated for a specific use or activity, under the conditions and/or restrictions as noted:

- Pier 1 Security Area and surrounding water area within floating Security Barrier: Restricted Security Area surrounding USS Constitution including Building 4, Building 5, and Building 292. Reference Map A. *This security area is established to provide*

anti-terrorism security for the USS Constitution and crew. Portions of this area, as signed, are open to public visitation during visitor use hours as specified in Section 1.5(a)(1), Visiting Hours.

- Pier 1 boat dock: Vessels docking at this boat dock must have a permit issued by the Superintendent. Only the general public associated with an authorized commercial boat tour is allowed on the boat dock.

36 CFR §1.6 – ACTIVITIES THAT REQUIRE A PERMIT

Activities requiring a permit are listed above under Public Use Limits and throughout this document under the specific 36 CFR Section that authorizes or requires the issuance of a permit.

Information on requirements and obtaining park required permits may be obtained through the Boston National Historical Park website at www.nps.gov/bost. All permits are issued by the Superintendent of Boston National Historical Park and Boston African American National Historic Site.

A special park use permit can only be granted if the activity has been judged by the Superintendent not to cause any derogation of the values and purpose for which the park was established, unless directly and specifically authorized by Federal law. Each request to engage in a special park use or to renew authorization of an existing use will be reviewed and evaluated by the Superintendent according to the terms of applicable legislation, regulations, guidelines and management planning documents, using criteria and procedures outlined in the Special Park Use Guidelines (DO/RM 53). Initial or renewal requests to conduct an activity will be denied if the Superintendent determines that the activity:

- has the potential to cause injury or damage to park resources
- will unreasonably impair the atmosphere of peace and tranquility of historic or commemorative locations in the park
- will result in significant conflict with other existing areas
- will substantially impair operation of public facilities or the services of NPS concessionaires or contractors
- will conflict with law or policy
- will be in derogation of the values and purposes for which the Park was established
- will be inconsistent with the Park's enabling legislation
- has reasonable potential to cause illness, personal injury, or property damage
- will unduly interfere with normal park operations, resource protection, or visitor use

The National Park Service will also terminate any current activity subsequent to finding that any of the above conditions exist.

To the extent authorized by applicable legislation, regulations, and policies, the National Park Service will establish and collect appropriate permit fees for special park uses and will seek reimbursement from those issued permits for NPS costs incurred in administering the permit and monitoring the activities it authorizes.

36 CFR §2.3 – FISHING

(a) Fishing shall be in accordance with the laws and regulations of the State of Massachusetts.

Fishing is only allowed in the areas and at the times identified under § 1.5 Public Use Limits of this document.

36 CFR §2.4 – WEAPONS, TRAPS AND NETS

Visitors may possess firearms within a national park unit provided they comply with federal, state, and local laws. The role of the responsible gun owner is to know and obey the federal, state, and local laws appropriate to the park they are visiting. Federal law prohibits firearms in certain park facilities and buildings. These places are marked with signs at public entrances. Firearms are not permitted within the restricted security area in Charlestown Navy Yard.

(a)(2)(iii) Employees living in Government housing may only possess weapons (within their residence) with the concurrence of the Superintendent. All weapons must be declared as to the type make, model, and caliber, if applicable. Such possession must also be in accordance with federal, state, and local laws.

36 CFR §2.5 – RESEARCH SPECIMENS

(a) Taking plants, fish, wildlife, rocks, or minerals is prohibited except in accordance with other regulations of Chapter 1 of 36 CFR or pursuant to the terms and conditions of a specimen collection permit.

36 CFR §2.10 – CAMPING and FOOD STORAGE

(a) The following conditions have been established for camping:

- Camping is prohibited in all areas within the park without a permit. See also § 1.5 Public Use Limits
- Pursuant to 36 CFR § 1.4, camping is defined as the use of park land for living accommodation activities such as sleeping or making preparations to sleep (including the laying down of bedding for the purposes of sleeping) or storing personal belongings or making any fire or using any tent or shelter or other structure or vehicle for sleeping or doing any digging or earth breaking or carrying on cooking activities. The above listed activities constitute camping when it reasonably appears, in light of all the circumstances that the participants conducting these activities are in fact using the area as a living accommodation regardless of the intent of the participants or the nature of any other activities in which they may also be engaging. This policy is not intended to prohibit eating and other traditional activities in areas designated for picnicking.

36 CFR §2.11 – PICNICKING

Pursuant to and listed in 36 CFR § 1.5 of this document, picnicking is prohibited in all historic buildings.

Conditions for Picnicking:

- Picnicking is prohibited in all historic buildings.
- Picnicking is allowed subject to the following restrictions:
 - The setting up of tables, chairs, etc. in conjunction with picnicking is prohibited.
 - Picnicking in connection with a public gathering or special event for which a permit has been issued pursuant to §2.50 or §2.51 is allowed.

36 CFR 2.13 – FIRES

(a)(1) The lighting or maintaining of fires is generally prohibited, except as provided for in the following designated areas and/or receptacles, and under the conditions noted:

Designated Areas:

- Except in connection with a public gathering or special event for which a permit has been issued pursuant to §2.50 or §2.51 which specifically authorizes such activity under the special conditions sections of the permit. This restriction applies to all NPS operated interior and exterior areas.
- Park residents are exempt from the prohibition against using charcoal fires, propane stoves and Coleman stoves within the confines of their yards and the use of candles within their residences.

36 CFR §2.15 – PETS

(a)(1) The following structures and/or areas are closed to the possession of pets:

- All park buildings, structures, monuments, and the hard surface recreation courts within the fenced area between 1st and 2nd Avenue.
- Under 36 CFR § 2.15 (a)(1) & (f) this restriction does not apply to service animals (of any species) which have been trained to assist impaired or handicapped persons, or to dogs used by authorized federal, state, or local law enforcement officers in the performance of their official duties.

(a)(5) Pet excrement must be disposed of in accordance with the following conditions:

- Any person having possession, custody, or control of any dog or other animal that defecates in any area of the park shall be required to immediately remove the feces and either:
 - Remove the feces from park property, or
 - Place the feces in a non-leaking container for deposit in a trash or litter receptacle.
- Any person having possession, custody or control of any dog or other animal shall not allow the animal to urinate or defecate on any monument, statue, marker, fountain, bench or building. See also 36 CFR § 2.1(a)(6).

(e) Pets may be kept by park residents under the following conditions:

- With written permission from the Superintendent.

36 CFR §2.17 – AIRCRAFT & AIR DELIVERIES

(a)(1) Operating or using aircraft on lands or waters is prohibited.

(a)(3) Delivering or retrieving a person or object by parachute, helicopter, or other airborne means, except in emergencies involving public safety or serious property loss is prohibited.

36 CFR §2.18 – SNOWMOBILES

(c) The use of snowmobiles is prohibited.

36 CFR §2.20 – SKATING, SKATEBOARDS and SIMILAR DEVICES

The use of rollerskates, skateboards, roller skis, coasting vehicles, or similar devices are allowed only in the following areas:

- Between Gate One (1) and Scale House Entrance Gate on 1st Avenue as a direct route through the park. All others uses are prohibited.

36 CFR §2.21 – SMOKING

(a) The following portions of the park, or all or portions of buildings, structures or facilities are closed to smoking as noted:

- In all buildings, structures, facilities, and/or posted areas.
- Within 25 feet of entrance doors to all buildings, structures, facilities, and/or posted areas.

This designation is based on Executive Order 13058, published in the August 13, 1997 Federal Register. It is also designed to protect park resources and reduce the risk of fire.

36 CFR §2.22 – PROPERTY

(b)(1) & (2) Leaving property unattended, for ANY period of time, within the park boundary is prohibited. Property left unattended in violation of this condition may be considered dangerous or threatening to park resources and impounded for inspection. Such an inspection may be destructive.

36 CFR §2.35 – ALCOHOLIC BEVERAGES and CONTROLLED SUBSTANCES

(a)(3)(i) The following public use areas, portions of public use areas, and public facilities within the park are closed to consumption of alcoholic beverages, and to the possession of a bottle, can, or other receptacle containing an alcoholic beverage that is open, or has been opened, or whose seal has been broken or the contents of which have been partially removed:

- All NPS owned and administratively operated areas of Boston National Historical Park and Boston African American National Historic Site are closed to the consumption and possession of alcohol without a permit from the Superintendent.
- This restriction does not apply to residents and their guests in government quarters. Residents and their invited guests of legal age may consume alcoholic beverages within their residences or confines of their yard.

Reason for Determination

The park is closed to alcohol consumption because such activity is inappropriate considering the other uses of the park and the purpose for which the park was established and is maintained.

36 CFR §2.37 – NONCOMMERCIAL SOLICITING

Soliciting or demanding gifts, money, goods or services is prohibited except pursuant to the terms and conditions or a permit that has been issued under §2.50, §2.51, or §2.52.

36 CFR § 2.50 – SPECIAL EVENTS

A permit is required to hold a special event within the boundaries of Boston National Historical Park and Boston African American National Historic Site.

Special events, such as sporting events, pageants, regattas, public spectator attractions, entertainment, ceremonies, and large encampments, may be authorized under permit by the Superintendent subject to the same criteria as other special park uses provided that there is a meaningful association between the park and the event, and the event contributes to visitor understanding of the significance of the park.

The National Park Service will not permit the staging of special events that are conducted primarily for the material or financial benefit of participants, that involve commercialization, advertising, or publicity by participants, or for which a separate public admission fee is to be charged, unless the event is directly related to the purposes for which a park was established. Additional guidance and procedures are found in the Special Park Uses Guideline and in 36 CFR § 2.50.

Further, the Superintendent will consider the following:

- The location requested
- The time requested
- The duration of the proposed event
- The size (number of participants and/or observers) of the proposed event and associated equipment
- The effect of the proposed event on resources, operations, and the mission of the park
- Other, previously approved events.

The primary concern of the Superintendent is the effect of the proposed event on the cultural and natural resources and the impact on normal visitor operations and the visitor

experience. It may be possible to accommodate events at certain locations only before or after the public hours of the building. It may also be necessary to limit the size and/or duration of the proposed event to a small number of participants/observers or a shorter length of time in order not to interfere with public use or threaten the historical or natural resources of the park.

CONDITIONS FOR THE DENIAL OF A PERMIT APPLICATION:

Sports events, pageants, regattas, public spectator attractions, entertainments, ceremonies, and similar events are allowed: provided however, there is a meaningful association between the park area and the events, and the observance contributes to visitor understanding of the significance of the park area, and a permit therefore has been issued by the Superintendent. A permit shall be denied if such activities would:

- (1) Cause injury or damage to park resources; or
- (2) Be contrary to the purposes for which the natural, historic, development and special use zones were established; or unreasonably impair the atmosphere of peace and tranquility maintained in wilderness, natural, historic, or commemorative zones; or
- (3) Unreasonably interfere with interpretive, visitor services, or other program activities, or with the administrative activities of the National Park Services; or
- (4) Substantially impair the operation of public use facilities or services of National Park Service concessionaires or contractors; or
- (5) Present a clear and present danger to the public health and safety; or
- (6) Result in significant conflict with other existing uses; or
- (7) A prior application for a permit for the same time and place has been made that has been or will be granted and the activities authorized by that permit do not reasonably allow multiple occupancy of that particular area; or
- (8) The event is of such a nature or duration that it cannot reasonably be accommodated in the particular location applied for, considering such things as damage to park resources or facilities, impairment of a protected area's atmosphere of peace and tranquility, interference with program activities, or impairment of public us facilities.

Boston National Historical Park and Boston African American National Historic Site Policy

Boston National Historical Park and Boston African American National Historic Site are located in a dense urban setting in the City of Boston. Open space in the park is at a premium, and the park must manage use of the space equitably among the competing needs of the nearly 5 million visitors and a large number of people who utilize the park for special events, filming and photography, and for public assemblies. For this reason, private invitation-only events staged on public space in the park are restricted to only those events sponsored by the park, a park partner, or a government agency (City, State or Federal) and with approval of the Superintendent of Boston National Historical Park.

36 CFR § 2.51 – DEMONSTRATIONS

Boston National Historical Park and Boston African American National Historic Site will accommodate the use of park land for activities protected under the First Amendment of the United States Constitution. Demonstrations include demonstrations, picketing, speechmaking, marching, holding vigils or religious services, and all other like forms of conduct which involve the communication or expression of views or grievances, engaged in

by one or more persons, the conduct of which is reasonably likely to draw a crowd or onlookers. To ensure public safety and the protection of park resources and values, and to avoid assigning the same location and time to two or more activities, for groups larger than 25 persons, the park will issue permits that specify/organize the time, location, number of participants, use of the facilities, and number and type of equipment used, but not the content of the message presented.

The Superintendent shall, within ten days, issue a permit upon proper application. No public assembly permit shall be issued for a period in excess of 14 consecutive days, provided that permits may be extended for like periods upon a new application, unless another applicant has requested use of the same location and multiple occupancy at that location is not reasonably possible. The use of message bearing signs may be used in conjunction with public assemblies, vigils, rallies, demonstrations, religious activities and other forms of public expression provided that a Special Use Permit has been issued and approved by the park Superintendent. All such signs are to be attended at all times. "Attended" is defined as an individual being on-site either holding or immediately next to his or her sign. Signs are not permitted in public buildings. Amplified sound systems may be used in conjunction with public assemblies to the extent that they comply with the provisions of §2.12(a)(1)(ii).

Demonstrations involving 25 persons or fewer may be held without a permit provided that the other conditions required for the issuance of a permit are met and provided further that the group is not merely an extension of another group already availing itself of the 25-person maximum under this provision or will not unreasonably interfere with other demonstrations or special events. Individuals and small groups who take advantage of the permit exception may make use of hand-carried signs, but not stages, platforms, or structures (including tables). While it is not mandatory, the organizer is requested to provide reasonable notice of the proposed event to the park superintendent, including whether there is any reason to believe that there may be an attempt to disrupt, protest, or prevent the activity.

(c)(2) The following park areas are designated as areas for public assemblies:

- DORCHESTER HEIGHTS: any lawn area
- BUNKER HILL MONUMENT: any lawn area
- CHARLESTOWN NAVY YARD: lawn areas at the intersection of First Avenue and Fifth Street, one on the east side and one on the west side of Fifth Street; lawn area in front of 21 Second Ave, Marine Barracks; lawn area on First Avenue, west of the Navy Yard flagpole; on First Ave at the head of Dry Dock #1; head of Dry Dock 1, gravel area; at the end of Pier One, in front of Building 109, cobblestone; at the intersection of First Avenue and Constitution Road; grass area at the east intersection of Chelsea Street and Constitution Road. Reference Map C.

Assembling or distributing printed material within 20 feet of a building entrance or exit is prohibited. Visitors must be allowed unimpeded entry and exit of buildings for safety reasons. Assembling or distributing printed material within 12 feet of a crosswalk is prohibited. Blocking crosswalks impedes the flow of pedestrian traffic and creates safety concerns.

36 CFR §2.52 - SALE OR DISTRIBUTION OF PRINTED MATTER

The sale or distribution of printed matter in connection with a public assembly is allowed, subject to a permit for groups over 25 people, and subject to the regulations listed above

regarding public assemblies. Printed matter is defined as message-bearing textual printed material such as books, pamphlets, magazines, and leaflets, provided that it is not solely commercial advertising, whose primary purpose is the advocacy, definition, or explanation of a group's or individual's political, religious, scientific or moral beliefs. Message-bearing merchandise such as t-shirts, posters, patches, hats, flags, records, compact disks and tapes, photographs, mugs and decals may not be sold. The sale or distribution of printed matter involving 25 persons or fewer may be engaged in without a permit provided that the other conditions required for the issuance of a permit are met and providing the activity will not unreasonably interfere with other demonstrations or special events.

(b) The sale or distribution of printed matter by 25 people or less is allowed within the park areas designated as available under §2.51(c)(2) (see above). The sale or distribution of printed matter by more than 25 persons is allowed within designated park areas when the Superintendent has issued a permit.

36 CFR §2.62 – MEMORIALIZATION

(a) The installation of a monument, memorial, tablet, structure, or other commemorative installation in a park area without the authorization of the Director is prohibited.

(b) The scattering of human ashes from cremation is prohibited, except pursuant to the terms and conditions of a permit, or in designated areas according to conditions which may be established by the Superintendent.

36 CFR §3.3 – VESSEL PERMITS

Permits are required for the use of a vessel pursuant to §1.5(d). See §1.5(d) of this document for details.

36 CFR §3.7 – PERSONAL FLOATATION DEVICE (PFD) REQUIREMENTS

PDFs must be worn or carried on the designated waters, at the designated times and/or during designated water based activities outlined in §1.5 of this document.

36 CFR §3.16 – SWIMMING AND WADING

Swimming or wading is prohibited in all park waters pursuant to §1.5 of this document.

36 CFR §3.18 – SCUBA AND SNORKELING

(a) Snorkeling and underwater diving is prohibited in all park waters pursuant to §1.5 of this document.

36 CFR §3.19 – USE OF SUBMERSIBLES

The use of manned or unmanned submersibles may only occur in accordance with a permit issued by the superintendent.

36 CFR §4.21 – SPEED LIMITS

All roads within Boston National Historical Park that have City of Boston posted or regulated speed limits, and limited federal ownership along the roadway, will retain the City of Boston posted or regulated speed limit.

- Charlestown:
 - Chelsea Street – 30 MPH
 - Constitution Road – 30 MPH
 - Fifth Street – 30 MPH
 - First Avenue – 30 MPH
 - Monument Square – 30 MPH

(a)(1) The maximum speed limit on all roads and paved areas within the gated area (areas closed to public motor vehicle traffic) will be 15 MPH.

These speed limits were determined necessary to ensure the safety and security of park visitors, staff, and resources. All areas in the Charlestown Navy Yard that are closed to public motor vehicle traffic are business and residential areas, utility areas, and areas of heavy public visitation and therefore require a reduced speed to ensure public safety.

36 CFR §4.30 - BICYCLES

- Federal, state and local emergency personnel are authorized to ride on park sidewalks within the performance of their official duties.
- Bicycles may be parked and left unattended only in a bicycle rack (see also 36 CFR §2.22(b)(2) Abandoned Property).

36 CFR §5.1 – ADVERTISEMENTS

Commercial notices or advertisements shall not be displayed, posted, or distributed on federally owned or controlled lands within a park area unless prior written permission has been given by the Superintendent. Such permission may be granted only if the notice or advertisement is of goods, services, or facilities available within the park area and such notices and advertisements are found by the Superintendent to be desirable and necessary for the convenience and guidance of the public.

36 CFR §5.3 - BUSINESS OPERATIONS

Engaging in or soliciting any business is prohibited except as permitted by a Commercial Use Authorization, contract, or other written agreement with the NPS.

36 CFR §5.5 – COMMERCIAL PHOTOGRAPHY

(a) Before any motion picture may be filmed or any television production or sound track may be made by any person other than bona fide newsreel or news television personnel, written permission must first be obtained from the Superintendent.

(b) *Under P.L. 106-206 all commercial filming requires a permit and is subject to a location fee and cost recovery. Commercial filming is defined as digital or film recording of a visual image or sound recording by a person, business, or other entity for a market audience, such as for a documentary, television or feature film, advertisement, or similar project; it does not include news coverage or visitor use. Permission to film or videotape in a historic park building can be granted by the Superintendent when:*

- The activity has a meaningful and accurate association with the historic resource or
- The production would contribute to the public understanding and appreciation of the historic resource.

The same considerations as those which apply to building interiors will be applied by the Superintendent in granting permission for exterior motion picture or television productions. The Superintendent may choose not to apply the criteria of a meaningful association with the historic resource or that it would contribute to the public understanding and appreciation of the historic resource to video production in other areas of the park.

Coverage of breaking news never requires a permit, but is subject to the imposition of restrictions and conditions necessary to protect park resources and public health and safety, and to prevent derogation of park values.

(b) Taking photographs of any vehicle or other articles of commerce or models for the purpose of commercial advertising without a written permit from the Superintendent is prohibited.

The decision to require a permit for still photography activities in a park is based on the activity itself as opposed to the eventual use of the image. Generally, permits are not required for still photography activities unless:

- The activity takes place at location(s) where or when members of the public are generally not allowed; or
- The activity uses model(s), sets(s), or prop(s) that are not a part of the location's natural or cultural resources or administrative facilities; or
- The park would incur additional administrative costs to monitor the activity; or
- The park needs to provide management and oversight of the activity.

If none of these conditions exist a permit is not required. Still photography permits are subject to cost recovery and location fees.

Wedding photos taken by either commercial or noncommercial photographers require a permit.

36 CFR §5.6 – COMMERCIAL VEHICLES

(b) & (c) Using commercial vehicles on government roads within park areas when such use is in no way connected with the operation of the park is generally prohibited, and requires permission or a permit from the Superintendent.

36 CFR §5.7 – CONSTRUCTION OF BUILDINGS OR OTHER FACILITIES

Such activities are prohibited, except in accordance with the provisions of a valid permit, contract, or other written agreement with the United States.

Boston National Historical Park & Boston African American National Historic Site Closed Captioned Television (CCTV) Monitoring Public Notice

In accordance with National Park Service Law Enforcement Reference Manual, RM-9, the public is to be notified when parks monitor security cameras through CCTV. Boston National Historical Park and Boston African American National Historic Site use CCTV security cameras to "help ensure public safety and security; facilitate the detection, investigation, prevention and deterrence of terrorist attack and crime; help ensure the safety of citizens and officers; help assist in the proper allocation and deployment of law enforcement and public safety resources; help facilitate the protection of the innocent and the apprehension and prosecution of criminals" (RM-9, 26.1). Furthermore, the cameras will be used "only...to visually monitor public park areas and public activities where no constitutionally protected reasonable expectation of privacy exists" (RM-9, 26.1).

The following excerpt from RM-9, Chapter 26 orders that parks who have such programs allow for public notifications, specifically:

3.6 CCTV Public Notice and Comments

All parks using CCTV shall display a copy of the CCTV policy as part of their compendium and park website. The National Park Service encourages public comments regarding its CCTV policy and procedures contained in this policy, which we will periodically reexamine and which is a matter of public record and discussion. Appropriate government officials and the Solicitor's Office must first review any suggested substantive revisions by the Park Service. Any public comments should be directed to the National Park Service's Associate Director for Visitor and Resource Protection.

Please notify the park via email to Bost_Email@nps.gov should you wish to comment about Boston National Historical Park's usage of CCTV camera monitoring.